

DECLARATION, POWER OF ATTORNEY, AND PETITION

Attorney Docket No.: VAN-109

Page 1 of 2

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought in the application entitled:

WAVELENGTH-SELECTIVE PHOTONICS DEVICE

the specification of which is attached hereto unless the following box is checked:

☒ was filed on **December 14, 2001** as United States Application Number **10/023,430**.

I hereby declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby acknowledge my duty to disclose information of which I am aware which is material to patentability of this application as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365(b) of any foreign application for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed:

Application Number	Country	Filing Date
--------------------	---------	-------------

I hereby claim the benefit under Title 35, United States Code §119 (e) of any United States provisional application(s) listed below:

Application Number	Filing Date
60/140, 671	June 14, 1999

I hereby claim the benefit under 35 United States Code 120 of any United States application(s) or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT Parent Application	Parent Filing Date	Patent Number
PCT/EP00/05590	June 13, 2000	

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Robert G. Vanderperre, European Patent Attorney, 6-8 Avenue de la Charmille, 1200 Bruxelles, Belgium, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys named herein and the undersigned. In the event of a change of the person from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

And I hereby appoint: Barry R. Lipsitz, Registration No. 28,637 and Douglas M. McAllister, Registration No. 37,886, of the firm of Barry R. Lipsitz, Attorney at Law, 755 Main Street, Bldg. 8, Monroe, Connecticut 06468, Telephone (203) 459-0200, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct all correspondence to: Customer Number or Bar Code Label:

20028



20028

PATENT & TRADEMARK OFFICE

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor : **Carlos J. R. P. AUGUSTO**

Inventor's Signature Carlos J. R. P. Augusto Date : 7 FEBRUARY 2002

Residence **San Jose, California**

Citizenship : **Portugal**

Post Office Address **2233 Gunar Drive, San Jose, California 95124, U. S. A.**